

**GOVERNMENT OF ANDHRA PRADESH**  
**A B S T R A C T**

Prisons Department - NHRC – Case No. No.1381/1/7/2007-2008-JCD-M-4 — Death of U.T. Prisoner, Sri Chanchar Balia Shanker @ Kachravath Rathod R/o Jijori Village, Purandhar Taluq, Pune District, Maharastra State aged 45 years on 21-02-2008 in Osmania General Hospital, Hyderabad while undergoing medical treatment - NHRC recommended to pay a sum of Rs.3,00,000/- as monetary relief to the next kin of the deceased – Sanction accorded – Orders – Issued.

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**HOME (PRISONS-HRC) DEPARTMENT**

**G.O.RT.NO. 2228**

**DATED:30-11-2012**

**Read the following:**

- 1.From the Joint Registrar (Law), National Human Rights Commission, New Delhi, Show Cause Notice dated 24-07-2012.
- 2.From the Director General of Prisons and Correctional Services, A.P., Hyderabad, Letter No. Jud-3/186/ 2008, dated 11-09-2012.
- 3.Government Letter No. 21353/Pri.HRC/2012-2, dated 25-09-2012.
- 4.From the Assistant Registrar (Law), National Human Rights Commission, New Delhi, Letter, dated 13/18-10-2012.

**O R D E R:**

In the reference first read above, the National Human Rights Commission has issued Show Cause Notice u/s 18 of Protection of Human Rights Act, 1993 to the Chief Secretary, Government of Andhra Pradesh calling upon him to show cause as to why monetary relief should not be recommended to be paid to the next kin of the Under Trial Prisoner No.9717, Chanchar Balia Shanker @ Kachravath Rathod, R/o Jijori Village, Purandhar Taluq, Pune District, Maharastra State.

2. In the reference second read above, the Director General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad has furnished reply to the Show Cause Notice to the Government. The Government vide letter third read above has furnished copy of the detailed report to the National Human Rights Commission for placing the same before the Commission.

3. In the reference fourth read above, Hon'ble Commission considered the magisterial enquiry report, FIR, post mortem report  
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and other documents of the deceased prisoner, Chanchar Balia Shanker @ Kachravath Rathod and sought the opinion from an expert in the panel to ascertain whether sufficient medical care was provided to the deceased before his death. In response, the specialist has pointed out that when the prisoner has complained of epigastric pain, around midnight on 19-02-2008, he was treated with antacid and tranquilizers. This treatment continued on 20-02-2008 and it was only on 21-02-2008 that the prisoner was referred to Osmania General Hospital, Hyderabad and but he died on the way. The specialist has concluded that there was an error of judgement on the part of the jail medical officer, who should either have asked for an ECG or referred the patient for specialized medical care earlier. The death of the prisoner, Chanchar Balia Shanker @ Kachravath Rathod was therefore due to the negligence of the jail doctor. Hence the Commission has recommended the Government to make payment of Rs.3.00 lakhs as monetary relief to the legal heirs of the deceased prisoner, Chanchar Balia Shanker @ Kachravath Rathod and furnish compliance report along with the proof of payment within 6 weeks i.e., by 01-12-2012.

4. The Government after careful examination, hereby accord sanction for an amount of Rs.3.00 lakh (Rupees three lakhs only) towards payment of compensation to the legal heir of the deceased Under Trial Prisoner No.9717, Chanchar Balia Shanker @ Kachravath Rathod, R/o Jijori Village, Purandhar Taluq, Pune District, Maharashtra State who died on 21-02-2008 while shifting to Osmania General Hospital, Hyderabad for better treatment as directed by the National Human Rights Commission, New Delhi.

5. The amount sanctioned in para (4) above shall be met from provision available under the Head of Account "2056 Jails – 101. Jails – SH (04) Jails – 500 other charges -501 Compensation (Non Plan)".

6. The Director General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad, is authorized to draw the amount sanctioned in para (4) above and to place at the disposal of the Collector & District Magistrate, Pune, Maharashtra State for making payment to the legal heir of the Under Trial Prisoner, Chanchar Balia Shanker @ Kachravath Rathod, R/o Jijori Village, Purandhar Taluq, Pune District, Maharashtra State and submit the proof of payment by 01-12-2012.

7. The Director General of Prisons and Correctional Services Andhra Pradesh, Hyderabad, shall take necessary action accordingly.

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8. This order issues with the concurrence of Finance (Exp.Home) Department, vide their UO No.31435/516/A2/2012, dated:23-11-2012.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**M.CHAYA RATAN  
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To

The Director General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad.

The Joint Registrar (Law), National Human Rights Commission, Faridkot House, Copernicus Marg, New Delhi.

The Accountant General, (A&E), Maharashtra, Mumbai.

The Collector & District Magistrate, Pune, Maharashtra State.

Copy to:

The General Administration (HRC) Department.

The Finance (Exp.Home) Department.

The Finance (BG) Department.

SF/SC.

**//FORWARDED :: BY ORDER//**

**SECTION OFFICER**